

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 915 OF 2023

Amar K. Shinde ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Vikas Shivarkar a/w. Mr. Vivek Joshi for the Applicant.
Mr. P.H. Gaikwad-Patil, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 28.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 142 of 2023 registered at Khed Police Station, Pune for the offences punishable under Sections 143, 144, 147, 148, 149, 323, 324, 307, 341, 504 and 506 of the Indian Penal Code (IPC).
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. According to the prosecution, on the date of incident, which took place on 20 February 2023, the present applicant and other co-accused assaulted the injured Pawar Surve by iron rod and sticks due to business rivalry and attempted to commit his murder.

5. I have perused the statement of injured. He has not attributed any overt-act to the present applicant. Apart from it, according to the panchanama of the video clip of the alleged incident seized by the investigating officer, the applicant was trying to save the injured from the assault.

6. Considering the facts and circumstances and as there are no other criminal antecedents, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No.142 of 2023 registered at Khed Police Station, Pune for the offences punishable under Sections 143, 144, 147, 148, 149, 323, 324, 307, 341, 504 and 506 of the Indian Penal Code (IPC) , he be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]